

REMARKS

Reconsideration and withdrawal of the rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 43, 45, 49, 51, and 73-83 are now pending in the application, with Claims 43, 49, 73, 75, 77, and 79 being independent. Claims 43, 45, 49, and 51 have been amended and Claims 73-83 are newly-presented herein. Claims 44, 46, 50, 52, 61-64, 67, 69, and 71 have been cancelled without disclaimer or prejudice.

Claims 43-46, 49-52, 61-64, 67, 69 and 71 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 7,061,632 (Livingston) in view of U.S. Patent No. 6,373,588 (Fischer et al.). This rejection is respectfully traversed.

Livingston is directed to an imaging device that utilizes a graphical user interface (GUI) to allow a user to select desired features in a page, preset page classes or user defined page ranges, to which the features will be applied. These features can include applying watermarks to the printed pages, printing multiple pages per unit of print media, printing on both sides of each unit of print media, selecting a media source of media upon which printing will be performed, and selecting the output bin in which the print media will be deposited after printing. A program module 202 sends data for pages to the destination imaging device through a printer driver 204.

However, Livingston does not disclose or suggest at least setting a print-out format for single print data in a first mode, and setting a plurality of different print-out

formats for single print data in a second mode, with a print job including a command part describing a group of job commands and a print data part describing print data by a print language, with the group of job commands including a print control command representing the second mode for enabling the printing apparatus to execute a printing operation of a plurality of different print-out formats from common print data described in the print data part, as is recited in independent Claims 43 and 49. Livingston also does not disclose or suggest at least setting a first print setting and a second print setting so that a printing apparatus can output a print data part included in one print job in a first output format and a second output format, respectively, with a command part including the first and second print control commands, as is recited in independent Claims 73 and 77. Nor does Livingston disclose or suggest at least setting a plurality of print settings to enable a printing apparatus to execute a printing operation of print data in a first format and in a second format, and producing one print job including the print data and the plurality of print settings, with the printing apparatus printing all of the print data in the first format and in the second format, as is recited in independent Claims 75 and 79.

Thus, Livingston fails to disclose or suggest important features of the present invention recited in the independent claims.

Fischer et al. describes an image forming device that can receive a print job data stream and detect at least two classes of indicia indicative of a banner page within the data stream. Fischer et al. produces multiple original copies for a given piece of data, with the copies all having identical print settings. As discussed previously, in order to obtain

format-distinct copies of a given piece of data, Fischer et al. requires that multiple print jobs be sent. Even if Livingston were modified by Fischer et al. in the manner suggested by the Examiner, the resulting combination would still fail to meet the features noted above as being deficient in Livingston. Thus, Fischer et al. fails to remedy the deficiencies of Livingston noted above with respect to the independent claims.

Accordingly, independent Claims 43, 49, 73, 75, 77, and 79 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejection are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claims 43, 49, 73, 75, 77, and 79. Dependent Claims 45, 51, 74, 76, 78, and 80-83 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MAW\ytr

FCBS_WS 1600290v1